

CITY OF BROKEN ARROW, OKLAHOMA

REQUEST FOR PROPOSAL – ZONING ORDINANCE ANALYSIS/UPDATE/MODIFICATION

1. INSTRUCTIONS

The City of Broken Arrow, Oklahoma, is soliciting written proposals from qualified firms to analyze/update/modify the Zoning Ordinance. To be eligible for consideration, the proposing firm(s) must be capable of providing the services as set forth herein and must also be able to meet all other criteria outlined in this request for proposal.

2. PROJECT COORDINATION/INQUIRIES

Farhad K. Daroga, Director of Planning, will be the overall project director for updating/modifying the Zoning Ordinance. All inquiries relating to this request shall be addressed to:

City of Broken Arrow
Attention: Farhad K. Daroga
Director of Planning
220 S. First Street
Broken Arrow, OK 74013

3. SUBMITTAL DATE AND LOCATION

All proposals must be received by the City of Broken Arrow, Oklahoma, at the above referenced address prior to 5:00 p.m., on Wednesday, June 2, 2004. Late proposals will not be accepted under any circumstances, and any proposal so received shall be returned to the proposing firm unopened. Proposals must be submitted in a sealed envelope plainly marked "REQUEST FOR PROPOSAL -- CITY OF BROKEN ARROW ZONING ORDINANCE ANALYSIS/UPDATE/MODIFICATION."

4. COMMUNITY CHARACTER

The City of Broken Arrow, whose name comes from Creek Indians who settled here more than 100 years ago, is located in the southeast sector of the Tulsa Metropolitan Area. Families began migrating to Broken Arrow in the early 1900's via the railroad that passed through this location on its way from Muskogee to Tulsa. For most of the next 60 years, Broken Arrow was a mix of rural ranch and farmland and a small, but active, Main Street business district. With the construction of the Broken Arrow Expressway, downtown Tulsa joined with Broken Arrow and real estate developers quickly recognized the potential for development. The population of Broken Arrow exploded. Today, over 85,000 people reside in Broken Arrow (ranked 5th in Oklahoma) and there are more businesses and manufacturers than any other city in the State except for Oklahoma City and Tulsa.

While the City has grown, not even half of the land in Broken Arrow has been developed. With the opening of the Creek Turnpike during 2002, residential and commercial growth is positioned to leap to a

new level. The highway has made the south and east portions of the city much more accessible and real estate more valuable. The Broken Arrow Expressway also continues to attract new businesses and residential development.

In 1997, the City Council adopted the Comprehensive Plan, "Creating the Best Community". This document, which was updated in 2003, serves as the guide for evaluating all requests for rezoning. The Comprehensive Plan encompasses the "fenceline boundary", the ultimate city limit boundaries of the community. The fenceline boundary contains 104 square miles with 53 square miles in Tulsa County and 51 in Wagoner County.

5. CONDITIONS OF PROPOSAL SUBMITTAL

- A. Proposing firms shall comply with all conditions, requirements and specifications contained herein, with any departure constituting sufficient cause for rejection of the proposal.
- B. Only one proposal will be accepted from any person, firm or corporation. A list of any sub-consultants shall be included in the proposal with an outline of their responsibilities.
- C. The proposal must be signed by a duly authorized official for the proposing firm submitting the proposal.
- D. All prices quoted must be firm for a period of ninety (90) days following opening of the proposal.
- E. The City of Broken Arrow reserves the right to reject any and all proposals or any part thereof.
- F. All costs, including travel and expenses, incurred in the preparation of this proposal shall be borne solely by the proposing firm.
- G. The successful consultant shall agree not to assign or sublet the whole, or any part of, the contract without prior written consent of the City of Broken Arrow. The firm contracted with shall bear the responsibility for the quality and completion of any work sublet to other parties.
- H. Consultant shall identify a single point of contact for all contractual matters between the City of Broken Arrow and the consultant. If there is a change in the point of contact, consultant shall immediately notify the City of Broken Arrow in writing.
- I. Should any change in the scope of work be required, a contract amendment shall be prepared by the City of Broken Arrow with approval of the consultant.
- J. All submittals shall be delivered to the City of Broken Arrow in Microsoft Word 2000 format.
- K. The contracting firm shall agree to abide by all Federal, State, and City of Broken Arrow laws and rules regarding discrimination based on sex, race, age, creed, national origin or disability.

6. EVALUATION AND CONSULTANT SELECTION

All proposals will be evaluated by the Consultant Proposal Evaluation and Contract Oversight Committee, known as the “Coordinating Committee”. The proposals will be evaluated on the basis of the criteria noted herein. The Coordinating Committee may make a selection on the basis of the proposals received, or may choose to “short list” prospective firms for further negotiations.

The Coordinating Committee will evaluate and recommend, based on the criteria noted herein, the most qualified firm for consideration to the City Council. Final selection will be based on the written and oral presentations and work experience of the firms chosen for negotiations. The City reserves the right to reject all proposals, if in the opinion of the City, those submitted do not adequately fulfill the performance requirements of this request for proposal.

The City of Broken Arrow seeks to select the best professional services for this project for the most reasonable cost. The best proposal, however, will be that which yields the greatest benefit and utility to the City of Broken Arrow, to satisfy the stated project goals. This may not necessarily be the proposal with the lowest cost. These benefits will be determined in the screening and proposal review/interview processes by the Coordinating Committee and the City Council. The firm with the highest point rating to satisfy the following criteria will be given consideration:

	EVALUATION CRITERIA	MAXIMUM POINT RATING AND EMPHASIS
1	Overall approach towards the Scope of Work (responsiveness, clarity, quality, originality, timeliness)	30
2	Personnel qualifications of those assigned to carry out the Scope of Work and those who will be attending meetings (quality/relevance of plan preparation and implementation experience, availability for this project.)	25
3	Understanding of project (grasp of issues and relevance to what the City of Broken Arrow requires.)	20
4	Project costs and schedule (reasonable costs per scope of work, appropriate emphasis.)	15
5	Relevant firm/team experience and references	10
		100

7. PROPOSAL FORMAT AND ELEMENTS

- A. Proposals submitted shall contain all the information requested herein and any additional information necessary to summarize the overall benefit of the proposal to the City of Broken Arrow.

B. All proposals shall contain, as a minimum, the following:

- 1) A cover letter stating the name, address, and telephone number of the proposing firm. The proposal must be signed by the person having the authority to make the proposal for the firm.
- 2) A list of the people who will be involved in this project, and a summary of each person's experience in the firm(s). A percentage of time each person is expected to be involved in the project will be identified. Personnel expected to attend any meetings shall also be identified.
- 3) A response that defines the methods and means by which the proposing firm will perform the services outlined in the scope of services. An executive summary of no more than five (5) pages summarizing the proposal shall be included with the submittal.
- 4) A project time line outlining the dates and specific tasks necessary to complete the project. The City encourages a compact time frame (approximately 10 to 12 months) for the completion of this project.
- 5) A description detailing what portion(s) of the work, if any, will be subcontracted. If any work is to be subcontracted, the proposing firm shall provide a list of the subcontractors, setting forth their responsibilities and experience related to the tasks to be performed.
- 6) A least (5) references from individuals or entities contracting with for proposing firm for similar services within the past five (5) years. References should specify the type of work performed and names of contact persons, addresses, and telephone numbers.
- 7) A fee structure based on the services to be provided. Such schedule should include all expenses such as mileage, travel, mailing, printing, etc. In addition, any procedure and fee structure for scope changes, including additional public meetings shall be included.
- 8) Any other information deemed necessary by the City of Broken Arrow.
- 9) Please provide eight (8) copies of the proposal.

8. SCHEDULE OF CONSULTANT PERFORMANCE

Once the Consultant has been selected and a contract approved by the City of Broken Arrow, it is anticipated that the entire process should be completed within 10 to 12 months. The Consultant should provide a calendar detailing projected time frames for each of the work elements and contract times.

9. SCOPE OF SERVICES

The City of Broken Arrow is soliciting proposals to modify/update the Zoning Ordinance. The existing Zoning Ordinance was adopted by the City Council (Ordinance No. 1560) on July 10, 1989, and has been

amended on an incremental basis. The sign regulation section of the Zoning Ordinance was recently revised and the Planned Unit Development (PUD) section is in the process of being revised.

The existing ordinance is a “Euclidian” style Zoning Ordinance with 25 different zoning districts plus the Planned Unit Development overlay. The consultant selected will be expected to review the existing zoning ordinance and through meetings with Staff and leaders of the community, develop a recommended course of action for updating/modifying the Zoning Ordinance. This might consist of making selective changes to the existing ordinance or it might be the development of a complete new style of regulations for land development. The following specific tasks are to be performed for this project:

9.1 PHASE ONE: EVALUATION OF EXISTING ZONING CODE

9.1.1 Kickoff Meeting

The City Council will appoint a Zoning Ordinance Committee that will work with Staff and the Consultant. The Consultant will meet with this Committee to discuss their views and perspectives of the City’s overall current growth and development policies and any specific problems or issues they perceive to exist with the existing zoning ordinance.

9.1.2 Document Review

The consultant will thoroughly review the following City of Broken Arrow documents:

- Existing Zoning Ordinance
- Existing Zoning Maps
- Comprehensive Plan
- Subdivision Regulations

Copies of these documents will be provided by the City of Broken Arrow.

9.1.3 Interviews with members of the community

Consultant will conduct group interviews with members of the City Council, Planning Commission, developers, builders, neighborhood representatives, business owners, and design professionals to determine their opinions regarding development policies, procedures, and regulations. Interview sessions will be conducted in small groups. It is anticipated this will require a minimum of 6 interview sessions. The City of Broken Arrow will provide names and phones of potential interviewees, but the consultant will schedule the meetings. The City encourages the Consultant to conduct more independent interviews with different groups and individuals within the community.

9.1.4 Field Survey

The Consultant will be expected to spend three to four days conducting a field survey of existing land uses and development patterns within the fenceline of Broken Arrow to better understand the cumulative effects of past and current regulatory efforts on the local urban landscape. Field surveys

should be conducted independently and with City Staff. Examples of how the existing zoning ordinance has promoted/constrained development in the community will be identified.

9.1.5 Analysis, Critique, and Recommendation

Consultant shall prepare an executive summary type report that articulates the following topics:

- Analysis of the positive and negative elements of the existing zoning ordinance.
- Identification through examples of the impact the existing ordinance has had on promoting/constraining development in Broken Arrow.
- Identification of conflicts and omissions in the existing ordinance.
- Alternative Zoning Ordinances available and the advantages/disadvantages of each of these types of ordinances.
- Recommended course of action to be taken.
- Legal ramifications of recommended course of action.

9.1.6 Submittal of Report

Consult shall submit an electronic copy of the “Analysis, Critique, and Recommendation” report. Included in the appendix of this report shall be minutes of all meetings attended by the Consultant. The report shall be presented in a manner that can be easily photocopied in black and white.

9.1.7 Presentation of Findings and Recommendation to Zoning Ordinance Committee

Consultant shall present their findings to the Zoning Ordinance Committee along with a recommended course of action to be followed in amending the Zoning Ordinance. The Zoning Ordinance Committee shall provide direction to the Consultant on the recommended course of action to be followed.

9.2 PHASE TWO: ORGANIZATIONAL OUTLINE

Based upon the Zoning Ordinance Committee’s direction, Consultant will prepare an organizational outline presenting recommended methods for restructuring and reformatting the City of Broken Arrow’s Zoning Ordinance. Techniques to improve the readability and clarity of the ordinance for the average citizen will be set forth. Features to be considered will include illustrations, charts, indexing, and cross-referencing. This and preceding tasks will establish clear expectations for what is to be accomplished in the new code before actual drafting begins.

9.2.1 Submittal of Report

Consult shall submit to the City of Broken Arrow an electronic copy of the “Organizational Outline” report. Included in the appendix of this report shall be minutes of any additional meetings attended by the Consultant. The report shall be presented in a manner that can be easily photocopied in black and white.

9.2.2 Presentation of Findings and Recommendation to Zoning Ordinance Committee

Consult shall present the recommended “Organizational Outline” to the Zoning Ordinance Committee along with a recommended course of action to be followed in amending the Zoning Ordinance. Zoning Ordinance Committee shall advise consultant of any changes or modifications that need to be made.

9.3 PHASE THREE: DRAFTING OF NEW ZONING CODE

During this phase, Consultant will prepare the initial draft of the amended Zoning Ordinance. The ordinance will be prepared in the following four segments:

- General provisions, definitions, district identification, and uses per district.
- Development regulations by district (Illustrative drawings and visual examples shall be included with this section).
- Supplemental regulations.
- Administration and legal ramifications of proposed ordinance along with proposed Zoning Map changes.

This will allow the Zoning Ordinance Committee to review the individual ordinance components while work is progressing on the other sections. A draft submittal of each segment will be supplied electronically to Staff four weeks prior to the meeting with Zoning Ordinance Committee. Staff shall supply written comments back to the Consultant within 10 days of receiving the Consultant’s draft. Consultant will incorporate Staff comments and return a revised draft 10 days prior to meeting with the Zoning Ordinance Committee. Consultant will attend a meeting with the Zoning Ordinance Committee to receive written and verbal comments. If the proposed ordinance causes changes in Zoning Districts, consultant will mark on a hard copy Zoning map the changes that need to be made to the Zoning Map. Consultant will not be expected to update the official Zoning Map.

9.4 PHASE FOUR: PUBLIC REVIEW OF DRAFT ORDINANCE

After the meeting with the Zoning Ordinance Committee, Consultant shall incorporate all changes recommended by the Committee and submit electronically a revised draft of each Zoning Ordinance segment document, complete with illustrations and charts, to the City of Broken Arrow 10 days prior to the Planning Commission meeting. The proposed changes to the Zoning Map will be identified on a hard copy map. With this submittal, Consultant shall include a comparison between the current Zoning Ordinance and the new criteria being proposed. After the four segments have been presented to the Planning Commission, Consultant will submit electronically a complete draft Zoning Ordinance document and hard copy of the Zoning Map with proposed changes identified 10 days prior to the Planning Commission meeting. Planning Commission shall establish a date for the formal Public Hearing of the Zoning Ordinance. Consultant is expected to attend and present all drafts of the Zoning Ordinance to the Planning Commission. A total of at least five informal public meetings with the Planning Commission are expected.

9.5 PHASE FIVE: PLANNING COMMISSION PUBLIC HEARING OF DRAFT ORDINANCE

After the Planning Commission establishes a date for the formal Public Hearing of the Zoning Ordinance, Consultant shall, based upon comments and recommendations received previously by the Planning Commission, prepare and deliver a complete draft of the entire Zoning Ordinance. Consultant shall deliver to the City of Broken Arrow at least 30 days prior to the Public Hearing an electronic copy of the complete draft Zoning Ordinance. Consultant will be present at the Planning Commission Public Hearing.

9.6 PHASE SIX: CITY COUNCIL HEARING OF DRAFT ORDINANCE

After the Planning Commission public hearing, Consultant shall, based upon comments and recommendations received, prepare and deliver a revised complete draft of the entire Zoning Ordinance for a Public Hearing with the City Council. Consultant shall deliver to the City of Broken Arrow at least 10 days prior to the City Council meeting an electronic copy of the complete draft Zoning Ordinance and a paper copy of the Zoning Map with changes identified. Consultant will be present at the City Council meeting.

9.7 PHASE SEVEN: FINAL DELIVERABLES

Consultant shall, based upon comments and recommendations received from the City Council, submit an electronic copy of the adopted Zoning Ordinance and paper map copy of the Zoning Map.